



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

U.S. Application of:

Yoshihiro HARA

For:

DRIVING DEVICE, POSITION
CONTROLLER PROVIDED WITH DRIVING
DEVICE, AND CAMERA PROVIDED WITH
POSITION CONTROLLER

Confirmation No.:

4269

U.S. Serial No.:

10/617,634

Filed:

July 11, 2003

Group Art Unit:

2851

Examiner:

William B. Perkey

Date Allowed:

July 19, 2004

MAIL STOP ISSUE FEE

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **MAIL STOP ISSUE FEE**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on

SEPTEMBER 17, 2004

Date of Deposit

Tung T. Nguyen

Name of Applicant, Assignee, or Registered Representative

Signature

SEPTEMBER 17, 2004

Date of Signature

TRANSMITTAL OF ISSUE FEE

In accordance with the Notice of Allowance dated July 19, 2004, transmitted herewith is PTO Form PTOL-85B (in duplicate).

A Transmittal of Supplemental Declaration along with an executed Supplemental Declaration is being filed concurrently herewith.

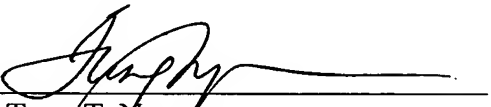
Serial No.: 10/617,634

A Supplemental Information Disclosure Statement is being filed concurrently herewith to be placed in the file.

Please charge the amount of \$1,645.00 in payment of the issue fee (\$1,330.00), the publication fee (\$300.00), and the advance order of five (5) patent copies (\$15.00), to Sidley Austin Brown & Wood LLP's Deposit Account No. 18-1260. Please credit any overpayment to Deposit Account No. 18-1260.

A duplicate copy of this paper is enclosed.

Respectfully submitted,

By: 
Tung T. Nguyen
Reg. No. 42,935
Attorney for Applicant

TTN/llb
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood
Suite 3400
Dallas, Texas 75201
(214) 981-3478 Direct
(214) 981-3300 Main
(214) 981-3400 Facsimile
September 17, 2004

DA1 308500v1



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

U.S. Application of:

For:

Yoshihiro HARA

DRIVING DEVICE, POSITION

CONTROLLER PROVIDED WITH DRIVING
DEVICE, AND CAMERA PROVIDED WITH
POSITION CONTROLLER

Confirmation No.:

4269

U.S. Serial No.:

10/617,634

Filed:

July 11, 2003

Group Art Unit:

2851

Examiner:

William B. Perkey

Date Allowed:

July 19, 2004

MAIL STOP ISSUE FEE

Commissioner for Patents

P. O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: **MAIL STOP ISSUE FEE**, Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on

SEPTEMBER 17, 2004

Date of Deposit

Tung T. Nguyen

Name of Applicant, Assignee, or Registered Representative

Signature

SEPTEMBER 17, 2004

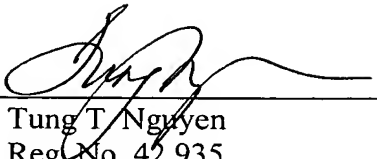
Date of Signature

TRANSMITTAL OF SUPPLEMENTAL DECLARATION

Transmitted herewith is an executed Supplemental Declaration (3 pages) for the above-referenced patent application.

Serial No.: 10/617,634

Respectfully submitted,

By: 
Tung T. Nguyen
Reg. No. 42,935
Attorney for Applicant

TTN/llb
SIDLEY AUSTIN BROWN & WOOD LLP
717 N. Harwood
Suite 3400
Dallas, Texas 75201
(214) 981-3478 Direct
(214) 981-3300 Main
(214) 981-3400 Facsimile
September 17, 2004

DA1 308497v1

拒絶理由通知書



特許出願の番号	特願2002-208854
起案日	平成16年 8月11日
特許庁審査官	牧 初 9064 3V00
特許出願人代理人	小谷 悦司(外 2名) 様
適用条文	第29条第1項、第29条第2項

この出願は、次の理由によって拒絶をすべきものである。これについて意見があれば、この通知書の発送の日から60日以内に意見書を提出して下さい。

理 由

1) この出願の下記の請求項に係る発明は、その出願前に日本国内又は外国において、頒布された下記 of 刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明であるから、特許法第29条第1項第3号に該当し、特許を受けることができない。

2) この出願の下記の請求項に係る発明は、その出願前日本国内又は外国において頒布された下記 of 刊行物に記載された発明又は電気通信回線を通じて公衆に利用可能となった発明に基いて、その出願前にその発明の属する技術の分野における通常の知識を有する者が容易に発明をすることができたものであるから、特許法第29条第2項の規定により特許を受けることができない。

記 (引用文献等については引用文献等一覧参照)

理由1, 2)

・請求項 1～4

・引用文献 1

・備考 引用文献1には、共振周波数近傍で駆動する振動波アクチュエータの駆動装置であって、位置偏差及び速度偏差に応じて、駆動電圧のパルス幅及び周波数を制御するようにした駆動装置が記載されている。(第4欄第25行～第7欄第10行参照。)

理由2)

・請求項 5

・引用文献 1

・備考 振動はアクチュエータをカメラの手ぶれ補正レンズの駆動に適用することは、この出願前から周知のことである。

引 用 文 献 等 一 覧

1. 特開平5-328757号公報

先行技術文献調査結果の記録

- ・調査した分野 IPC第7版 H02N2/00-2/16
- ・先行技術文献 特開2000-78861号公報

この先行技術文献調査結果の記録は、拒絶理由を構成するものではない。

この拒絶理由通知の内容に関するお問い合わせ、または面接のご希望がございましたら下記までご連絡下さい。

特許審査第二部 電動機制御 牧 初
TEL. 03(3581)1101 内線3358
FAX. 03(3501)0671

Notice of Reasons for Rejection

Mailed on August 17, 2004

Japanese Patent Application No. 2002-208854

Drafted Date: August 11, 2004

Name of the Examiner: Hajime MAKI 9064 3V00

Directed to Etsuji KOTANI (and other two persons)

Article to be Applied: Article 29 Paragraphs 1 and 2

This application is rejected on the following grounds. If you have arguments against the rejection, you have to file a response within sixty (60) days of the mailing date of this letter.

Grounds of Rejection:

1) The invention defined in the below-listed claims of the present application is rejected under the provision of Art 29, Par 1, Sec. 3 of the Japanese Patent Law on the grounds that the claimed invention has been available to the public through an invention recited in the following publications or a telecommunication channel delivered in Japan or a foreign country prior to the filing.

2) The invention in the below-listed claims of the present application is rejected under the provision of Art. 29, Par. 2 of the Japanese Patent Law on the grounds that the claimed invention would be easily worked out by a person who has a common knowledge in a technical field to which the invention pertains based on the invention recited in the following publications delivered in Japan or a foreign country or the invention available to the public through a telecommunication channel prior to the filing.

Note

(See a list of the cited references regarding the cited references and the like.)

Reasons 1, 2)

- Concerning claims 1 to 4
- The cited reference 1
- Remarks

The cited reference 1 recites a driving device for use in an oscillation actuator, which is driven in the vicinity of a resonance frequency, wherein the pulse width and the frequency of a driving voltage are controlled depending on the position deviation and speed deviation (see from Col. 4 line 25 to Col. 7, line 10).

Reason 2)

- Concerning claim 5
- The cited reference 1
- Remarks

It is well known, prior to filing of the patent application, to use the oscillation actuator in driving a shake correction lens of a camera.

List of the cited references and the like

1. Japanese Unexamined Patent Publication No. HEI 5-328757

The Record of the Search Result of the Prior Art Documents

- The Field of the Search
The 7th edition of IPC H02N2/00-2/16
- Prior Art reference
Japanese Unexamined Patent Publication No. 2000-78861

The record of the search report of the prior art documents does not constitute a reason for refusal.

If you have an inquiry about the Notice of Reason for Refusal or require an Interview, please contact the following:

Patent Examination 2nd Department, Control of Electric Machinery

The Examiner: Hajime MAKI

(TEL) 03-3581-1101 (Extension: 3358)

(FAX) 03-3501-0671